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Item 121 of the preliminary list*
Human resources management

Amendments to the Staff Rules

Report of the Secretary-General

Summary

As requested by staff regulation 12.3, the present report contains the full text of new rules or amendments to existing rules that the Secretary-General proposes to implement as from 1 January 2003. The report also provides the rationale for these amendments, which are of a technical nature.

The Secretary-General recommends that the General Assembly take note of the new or amended staff rules set out in the annex to the present report.

* A/57/90/Rev.1.

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1. Staff regulation 12.3 provides that the full text of provisional staff rules and amendments should be reported annually to the General Assembly.

2. Unless otherwise indicated, the proposed amendments contained in the annex to the present report will be effective as from 1 January 2003. New or amended text appears in bold.

A. 100 series

3. Rule 104.3, Re-employment, is amended to clarify that its provisions, based on an agreement reached by the Consultative Committee on Administrative Questions in 1963, apply to all subsequent cases of re-employment within the United Nations common system when re-employment takes place within twelve months of separation.

4. Rule 107.15, Travel subsistence allowance, is amended to formalize a long-standing practice under which no subsistence allowance is paid to staff members who travel on appointment, assignment or repatriation, except for authorized stopovers that are actually made.

B. 200 series

5. Rule 203.9, Daily subsistence allowance, is amended to simplify the text and harmonize it with the corresponding provision in the 100 series of the Staff Rules.

6. Rule 204.3, Types of appointment, is retitled Types of appointment and re-employment, and is amended to clarify that the agreement reached by the Consultative Committee on Administrative Questions in 1963, which was implemented in rule 104.3, also applies to project personnel.

7. Rule 207.17, Computation of the daily subsistence allowance while in travel status, is amended to formalize a long-standing practice under which no subsistence allowance is paid to project personnel who travel on appointment, assignment or repatriation, except for authorized stopovers that are actually made.

C. 300 series

8. Rule 303.7, Special post allowance, is a new rule authorizing payment of a special post allowance to staff appointed for a limited duration in a manner and under conditions similar to staff serving under the 100 series of the Staff Rules.

9. Rule 307.4, Subsistence allowance, is amended to formalize a long-standing practice under which no subsistence allowance is paid to staff members who travel on appointment, assignment or repatriation, except for authorized stopovers that are actually made.

10. **The Secretary-General recommends that the General Assembly take note of the new or amended Staff Rules set out in the annex.**

Annex

Text of amendments to the Staff Rules

A. 100 series

Rule 104.3
Re-employment

(a) A former staff member who is re-employed shall be given a new appointment or, if re-employed within twelve months of being separated from service or within any longer period following retirement or disability under the Joint Staff Pension Fund Regulations, he or she may be reinstated in accordance with paragraph (b) below. If the former staff member is reinstated, it shall be so stipulated in his or her letter of appointment. If he or she is given a new appointment, its terms shall be fully applicable without regard to any period of former service, except that such former service may be counted for the purpose of determining seniority in grade. **However, when a staff member receives a new appointment in the United Nations common system less than twelve months after separation, any entitlement, benefit or accrual the staff member may have when separated at the end of the new appointment shall be adjusted to ensure that the total payments for the first and subsequent separations do not exceed the amounts that would have been paid had the service been continuous.**

...

Rule 107.15
Travel subsistence allowance

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(h) No travel subsistence allowance shall be payable **in respect of travel on appointment, assignment or repatriation, and** in respect of travel on home leave, family visit or education grant, provided that the allowance may be paid for stopovers actually made during such travel under conditions established by the Secretary-General. Where travel at United Nations expense is authorized for medical, safety, security or other reasons under rule 107.1 (a) (vii) or 107.2 (a) (vii), an appropriate amount of subsistence allowance may be paid at the discretion of the Secretary-General.

[Amendment scheduled to become effective on 1 August 2002.]

B. 200 series

Rule 203.9
Daily subsistence allowance

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(f) The applicable rate of the daily subsistence allowance shall be subject to reduction when lodging or meals are provided free of charge by the United Nations, by a Government or by a related institution.

Rule 204.3
Types of appointment and re-employment

(a) Project personnel shall be granted temporary appointments as follows:

(i) Temporary appointments shall be for a fixed term and shall expire without notice on the date specified in the respective letter of appointment. They may be for service in one or more mission areas and may be for short, intermediate or long term, as defined in rule 200.2 (f).

(ii) Project personnel who are initially granted appointments for less than one year but whose appointments are subsequently extended so that the total continuous contractual service is one year or more but less than five years shall be considered to be in intermediate-term status with effect from the date from which their appointment is extended or converted to intermediate-term status.

(iii) Project personnel in intermediate-term status who complete five years' continuous service and whose appointments are extended for at least one further year shall be considered to be in long-term status with effect from the date on which they complete five years' continuous service.

(iv) A temporary appointment does not carry any expectancy of renewal.

(b) Former project personnel who are re-employed shall be given a new appointment, the terms of which shall be fully applicable without regard to any period of former service. However, when project personnel receive a new appointment in the United Nations common system less than twelve months after separation, any entitlement, benefit or accrual project personnel may have when separated at the end of the new appointment shall be adjusted in such a way that the total payments on subsequent separations do not exceed the amounts that would have been paid had the service been continuous.

Rule 207.17
Computation of the daily subsistence allowance while in travel status

...

(e) No travel subsistence allowance shall be payable **in respect of travel on appointment, assignment or repatriation, and** in respect of travel on home leave, family visit or education grant, provided that the allowance may be paid for stopovers actually made during such travel under conditions established by the Secretary-General. Where travel at United Nations expense is authorized for medical, safety, security or other reasons under rule 207.1 (vi) or 207.2 (a) (v), an appropriate amount of subsistence allowance may be paid at the discretion of the Secretary-General.

[Amendment scheduled to become effective on 1 August 2002.]

C. 300 series

Rule 303.7
Special post allowance

(a) Staff members shall be expected to assume temporarily, as a normal part of their customary work and without extra compensation, the duties and responsibilities of higher level posts.

(b) A staff member appointed for a limited duration under rule 301.1 (a) (ii) who is called upon to assume the full duties and responsibilities of a post at a clearly recognizable higher level than his or her own for a temporary period exceeding three months may, in exceptional cases, be granted a non-pensionable special post allowance from the beginning of the fourth month of service at the higher level.

(c) The allowance may be paid on assumption of the higher duties and responsibilities, under conditions established by the Secretary-General, when a staff member is assigned to serve on a mission, or when a staff member in the General Service category is required to serve in a higher level post in the Professional category, or when a staff member in any category is required to serve in a post at more than one level above his or her level.

(d) Staff members to whom a special post allowance has been granted shall receive base salary at the next grade level. They shall also receive their service allowance at the higher level.

Rule 307.4
Subsistence allowance

(a) A staff member appointed under these Rules who is authorized to travel at United Nations expense shall receive an appropriate subsistence allowance **under conditions defined by the Secretary-General and** in accordance with a schedule established from time to time, **except in respect of travel on appointment, assignment or repatriation. In such cases, the allowance may be paid for stopovers actually made during such travel under conditions established by the Secretary-General.** The rates of subsistence allowance shall be subject to reduction in cases where lodging or meals are provided free of charge by the United Nations, by a Government or by a related institution.

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[Amendment scheduled to become effective on 1 August 2002.]